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OFFICE OF PETITIONS

In re Application of	:	
Gervasi et al.	:	
Application No.: 10/634570	:	ON PETITION
Filing or 371(c) Date: 08/05/2003	:	
Attorney Docket Number:	:	
66182-9020-02	:	

This is a decision on the Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. § 1.137(b), filed February 1, 2007.

This Petition is hereby **granted**.


The above-identified application became abandoned for failure to timely reply to the non-final office action, mailed June 28, 2006. The Office action set a three (3) period for reply. Extensions of time under 37 CFR 1.136(a) were available. No reply having been received, the application became abandoned on September 29, 2006. The mailing of this Decision precedes the mailing of a Notice of Abandonment.

Applicant files the present petition and Amendment in response to the Office action. Accordingly, the petition is granted.

Regarding the extension of time request and fee, Applicant is advised that no extensions of time are available after the reply period has expired and the application has become abandoned. Petitioner may request a refund of the maintenance fee and surcharge by writing to the Office of Finance, Refund Section, Director for Patents, Washington, DC, 20231. A copy of this decision should accompany petitioner's request.

This application is being referred to Technology Center Art Unit 1772 for processing of the Amendment filed with the petition in due course.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3232.


Derek L. Woods
Attorney
Office of Petitions